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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PUBLIC UTILITY DISTRICT NO. 2 OF
GRANT COUNTY, WASHINGTON,

Plaintiff,

vs.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No.: C 07-03243 JSW

Chapter 11 Case

Bankr. Case No. 01-30923 DM

**OPPOSITION TO MOTION TO
STRIKE NOTICE OF
DECEMBER 4 ORDER BY JUDGE
WENDELL MORTIMER, JR. OF
THE LOS ANGELES SUPERIOR
COURT**

1 Public Utility District No. 2 of Grant County, Washington (“Grant County”) moves to strike
2 Notice Of December 4 Order By Judge Wendell Mortimer, Jr. Of The Los Angeles Superior Court.
3 Defendant Pacific Gas & Electric Company (“PG&E”) opposes Grant County’s misconceived and
4 unnecessary motion, which appears to be nothing more than an improper attempt to reargue its
5 underlying Motion for (I) Withdrawal of Reference of Proof of Claim and (II) Transfer of Venue
6 Thereof to the United States District Court for the Eastern District of Washington

7 There is no reason for this Court to strike the Notice filed by PG&E. That Notice was
8 intended to apprise the Court of a ruling in *PG&E et al. v. Arizona Elec. Power Cooperative, Inc. et*
9 *al.*, Case No. BC 369141, Los Angeles Superior Court (filed Apr. 9, 2007), a case discussed by
10 *Grant County itself* in its opening brief filed in support of its Motion for (I) Withdrawal of
11 Reference of Proof of Claim and (II) Transfer of Venue Thereof to the United States District Court
12 for the Eastern District of Washington (Docket # 6). *See pp. 11-12.* As explained by PG&E in the
13 Notice, on December 4, 2007, Judge Wendell Mortimer, Jr. overruled demurrers filed by
14 defendants, including defendants similarly situated to Grant County. Although Grant County has
15 now been dismissed from *PG&E et al. v. Arizona Elec. Power Cooperative, Inc. et al.* on the basis
16 that the Court lacked personal jurisdiction over Grant County, that dismissal is on appeal.
17 Regardless, however, of Grant County’s present status in that case, notice to this Court of a key
18 ruling in a case discussed by Grant County in its own papers is entirely appropriate. Accordingly,
19 Grant County’s motion should be denied.

20 PG&E requests that this motion be resolved without oral argument.
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2 DATED: January 15, 2008

Respectfully submitted,

3 HOWARD RICE NEMEROVSKI CANADY FALK
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8 By /s/
9 Peter J. Benvenuti

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